

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF WEST VIRGINIA**

THE CITY OF HUNTINGTON,

Plaintiff,

v.

AMERISOURCEBERGEN DRUG
CORPORATION, et al.,

Defendants

Civil Action No. 3:17-01362
Hon. David A. Faber

CABELL COUNTY COMMISSION,

Plaintiff,

v.

AMERISOURCEBERGEN DRUG
CORPORATION, et al.,

Defendants.

Civil Action No. 3:17-01665
Hon David A. Faber

DEFENDANTS' MOTION TO COMPEL DISCOVERY RESPONSES

Pursuant to Rules 33, 34, and 37 of the Federal Rules of Civil Procedure, Defendants AmerisourceBergen Drug Corporation, Cardinal Health, Inc., and McKesson Corporation (collectively, "Defendants"), by counsel, hereby move for an order compelling Plaintiffs City of Huntington and Cabell County Commission to produce promptly certain custodial records so that Defendants can propound fact discovery needed to defend themselves in this matter.

Defendants' motion should be granted for the reasons set forth in the accompanying memorandum of law, which is incorporated herein. Pursuant to LR Civ P 7.1(a), copies of all documents, affidavits, and other such materials or exhibits referenced in the memorandum and upon which this motion relies are attached to the supporting memorandum incorporated herein.

Defendants further certify that they have conferred with counsel for the Plaintiffs in an effort to resolve the subject discovery dispute without court intervention.

April 6, 2020

DEFENDANTS

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Counsel for McKesson Corporation

CERTIFICATE OF SERVICE

The undersigned counsel hereby certifies that on this 6th day of April, 2020, the foregoing “Defendants’ Motion to Compel Discovery Responses” was served using the Court’s CM/ECF system, which will send notification of such filing to all counsel of record.

/s/ Gretchen M. Callas
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